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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA
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10 BANK OF AMERICA, N.A.,) 3:16-cv-00127-HDM-WGC
11 Plaintiff,)
12 vs.) ORDER
13 SIERRA CEDARS CONDOMINIUM)
14 HOMEOWNERS ASSOCIATION, LVDG)
15 SERIES 200, LLC, THUNDER)
16 PROPERTIES, INC., and HAMPTON &)
17 HAMPTON COLLECTIONS, LLC,)
18 Defendant.)
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20 On April 5, 2017, the court stayed this action pursuant to the
21 stipulation of the parties pending final resolution of the Ninth
22 Circuit's decision in *Bourne Valley Court Trust v. Wells Fargo*
23 *Bank, N.A.*, 832 F.3d 1154 (9th Cir. 2016) and the Nevada Supreme
24 Court's decision in *Saticoy Bay LLC Series 350 Durango 104 v. Wells*
25 *Fargo Home Mortgage, a Div. of Wells Fargo Bank, N.A.*, 388 P.3d 970
26 (Nev. 2017) (ECF No. 42). At the time the stay was entered,
27 several discovery deadlines remained pending and the dispositive
28 motions deadline had not yet passed. The stipulation provided that
within 45 days of final resolution of all *Bourne Valley* and/or
Saticoy Bay proceedings the parties would submit a joint status


1 report and renewed discovery plan and scheduling order for the
2 court's approval.

3 On August 11, 2017, the parties submitted their joint status
4 report and proposed scheduling order (ECF No. 43). On August 29,
5 2017, plaintiff filed a motion to partially lift the stay to allow
6 for the filing of dispositive motions on the effect of the *Bourne*
7 *Valley* decision and a motion for partial summary judgment (ECF
8 Nos. 44 & 45).

9 Restricting dispositive motions to the *Bourne Valley* issue
10 alone would not serve judicial economy or the interests of justice.
11 Accordingly, the plaintiff's motion to partially lift the stay (ECF
12 No. 44) is **GRANTED IN PART**. The stay entered by the court on April
13 5, 2017, is hereby **VACATED**. Plaintiff's motion for partial summary
14 judgment (ECF No. 45), filed without leave of court and before the
15 stay was lifted, is hereby **STRICKEN** without prejudice should
16 plaintiff elect to file a renewed motion for summary judgment that
17 raises all arguments it seeks to advance on summary judgment. The
18 proposed scheduling order submitted by the parties on August 11,
19 2017 (ECF No. 43) is referred to the magistrate judge.

20 IT IS SO ORDERED.

21 DATED: This 30th day of August, 2017.

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24 UNITED STATES DISTRICT JUDGE
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